IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

–

–

WEDNESDAY, THE FIFTH DAY OF OCTOBER

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE K.C.BHANU

* * *

WP.No.21738 OF 2005

Between:

M.Dashratham Goud, s/o, Yellaiah Goud, aged about 50 years,

Occ.Tapper, r/o.H.No.4-49, Achampet village & Mandal,

Mahboobnagar district. … Petitioner

Versus

The Prohibition & Excise Superintendent-cum-

Functional Registrar for Toddy Tappers Co-operative Societies,

Mahboobnagar district & Ors. … Respondents

Counsel for the Petitioner: M. Damoder Reddy

Counsel for the Respondents: GP for Excise

-

-

-

-

-

-

-

-

O R D E R :

This writ petition is filed seeking mandamus to declare the action of the third respondent society in issuing the alleged resolution dated 04-6-2005 in removing the petitioner and eleven others from the membership of the TCS, Achampet, as

illegal, unlawful, contrary to Section 23 of the AP Co-operative Societies Act, 1964 (for brevity 'the Act') and further declare the action of the first and second respondents in not entertaining the representation dated 17-8-2005 as dispute under section 61 of the Act to declare the petitioner and eleven others as members of the TCS, Achampet.

Heard the learned counsel for the petitioner and the learned Government Pleader for Excise.

The main grievance of the petitioner is that he was removed from the membership of Toddy Tappers Co-operative Society, Achampet, without issuing any notice as contemplated under section 23 of the A.P. Co-operative Societies Act, 1964.

Appropriate decision has to be taken by the first respondent in accordance with law on the representation dated 17-8-2005 of the petitioner seeking to treat the dispute as reference under section 61 of the Act and conduct a detailed enquiry into the same and set aside the letter dated 04-6-2005 issued by TCS, Achampet removing twelve members from the society and consequently direct the petitioner as member of the TCS Achampet for all purposes.

Without entering into the merits of the case, I deem it appropriate to direct the first respondent to take appropriate decision on the representation dated 17-8-2005 submitted by the petitioner, on merits and in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order. With the above direction, the writ petition is accordingly disposed of at the admission stage. No costs.

OCTOBER 05th, 2005. ----------

I s L. ***K.C. BHANU*** **, J**.